

CITY OF BILLINGS DISCLAIMER.

The City of Billings has requested that the State issue a disclaimer of interest in lands adjacent to Lake Elmo Drive in Billings, so as to facilitate road re-construction. The City is requesting a disclaimer to eliminate a purported ambiguity resulting from an earlier Carey Land Act deed.

The Department has reviewed the factual allegations and has concluded that the State of Montana has no possible claim to the disputed lands. The Department requests the Board's permission to execute the enclosed Disclaimer of Interest in order to help resolve the above-described title question.

DISCLAIMER OF INTEREST

The State of Montana, acting by and through the Board of Land Commissioners, hereby disclaims any interest in or to the following described premises in Yellowstone County, Montana, to wit:

The east 20 feet of the NW1/4 of Section 22, Township 1 North, Range 26 East, P.M.M., Yellowstone County, Montana, as described in the Carey Land Act Deed recorded January 22, 1907, under Document #5694, in the Records of Yellowstone County Clerk and Recorder's Office, Montana.

DATED this ____ day of _____, 2007.

The State of Montana, acting by and through the Board of Land Commissioners

By: _____
Brian Schweitzer,
Governor of the State of Montana

Attest: _____
Brad Johnson
Secretary of State

Countersigned by:

Mary Sexton, Director
Montana Department of
Natural Resources &
Conservation